

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bradley Crawford on 6/5/09.

The application has been amended as follows:

#### **IN THE TITLE:**

The title was replaced by the following: -- Assay for Tissue Factor in a Sample --.

#### **IN THE CLAIMS:**

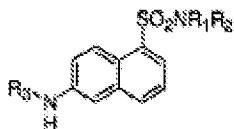
Claims 5 and 6 were cancelled.

Claims 1 and 2 were replaced by the following:

-- 1. A method for determining the concentration of tissue factor (TF) in a sample suspected to contain TF, comprising: (a) combining the sample and a molar excess of factor VIIa (fVIIa) compared to the moles of TF in the sample to produce a TF/fVIIa enzyme complex; (b) detecting the enzymatic activity of the complex using a fluorogenic or chromogenic substrate; (c) generating numerical values correlated with the enzymatic activity of the sample; and (d) comparing the numerical values with a standard curve of TF-dependent enzymatic activity, wherein the standard curve is generated by quantifying TF-dependent enzymatic activity of the TF/fVIIa complex in samples with known concentrations of TF.

Art Unit: 1651

2. The method of claim 1, wherein the substrate is a compound of the formula:



or a pharmaceutically acceptable non-toxic salts thereof; wherein

R<sub>1</sub> is hydrogen, straight or branched chain lower alkyl

having 1-6 carbon atoms optionally substituted with C<sub>1</sub>-C<sub>6</sub> alkoxy, straight or branched chain alkenyl having 2-8 carbon atoms, straight or branched chain alkynyl having 2-8 carbon atoms, cycloalkyl having 3-7 carbon atoms, alkylcycloalkyl where the alkyl portion has 1-6 carbon atoms, cycloalkylalkyl where the alkyl portion has 1-6 carbon atoms, or phenylalkyl where the alkyl portion is straight or branched chain alkyl having 1-6 carbon atoms, or a group of the formula:



R<sub>5</sub> represents hydrogen or an amino acid side chain; and

R<sub>4</sub> is hydroxy, C<sub>1</sub>-C<sub>6</sub> alkoxy, an amino acid or a peptide residue;

R<sub>2</sub> is hydrogen, straight or branched chain lower alkyl having 1-6 carbon atoms, straight or branched chain alkenyl having 2-8 carbon atoms, straight or branched chain alkynyl having 2-8 carbon atoms, cycloalkyl having 3-7 carbon atoms, alkylcycloalkyl where the alkyl portion has 1-6 carbon atoms, or phenylalkyl where the alkyl portion is straight or branched chain alkyl having 1-6 carbon atoms, or a group of the formula:



R<sub>5</sub> represents hydrogen or an amino acid side chain;

and

R<sub>4</sub> is hydroxy, C<sub>1</sub>-C<sub>6</sub> alkoxy, an amino acid or peptide residue; or

NR<sub>1</sub>R<sub>2</sub> forms a nitrogen heterocycle; and

R<sub>3</sub> is an amino acid or a peptide residue. --

Claim 4 was replaced by the following:

-- The method of claim 3, wherein the chromogenic substrate is a para-nitroaniline based substrate. --

In claim 8, the phrase "TF source" was replaced by -- the sample is obtained from --.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUSAN HANLEY whose telephone number is (571)272-2508. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Wityshyn can be reached on 571-272-0926. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1651

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sandra Saucier/  
Primary Examiner, Art Unit 1651

/Susan Hanley/  
Examiner, Art Unit 1651